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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,716	03/04/2002	Dan French	32338-70964	4804
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BARNES & THORNBURG 11 SOUTH MERIDIAN INDIANAPOLIS, IN 46204			EXAMINER	
			VO, HAI	
			ART UNIT	PAPER NUMBER
			1771	
			DATE MAILED: 05/15/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. 10090,716			<u>e</u>
Examiner		Application No.	Applicant(s)
Hail Vo	·	10/090,716	FRENCH ET AL.
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CFR 1.18(d). In an event, however, may a reply be timely filled that SIX (5) MONTH'S from the mailing date of this communication. Testing the statistic of the communication of 3 CFR 1.18(d). In an event, however, may a reply be timely filled that SIX (5) MONTH'S from the mailing date of this communication. Testing the statistic of the communication of the com	Office Action Summary	Examiner	Art Unit
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-5 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-5 is/are rejected. 7) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 04 March 2002 is/are: a ⊠ accepted or b objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved by disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.	A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perior - Failure to reply within the set or extended period for reply will, by stat - Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	N. 1.136(a). In no event, however, ma eply within the statutory minimum o od will apply and will expire SIX (6) I ute, cause the application to becom	y a reply be timely filed fthirty (30) days will be considered timely. MONTHS from the mailing date of this communication. e ABANDONED (35 U.S.C. § 133).
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3) ☑ Information Disclosure Statement(s) (PTO-1449) Paper No(s) / . 6) ☐ Other: .	1) X Notice of References Cited (PTO-892)	5) Notice	of Informal Patent Application (PTO-152)

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Art Unit: 1771

Claim Rejections - 35 USC § 102

 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
 A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Murch (US 3,934,066). Murch teaches an intumescent arrangement comprising an insulation polyurethane foam 14 and an intumescent layer 11 disposed on the surface of the foam (figure 3, column 4, lines 35-37). Murch discloses the intumescent laminate useful as a fire door (column 11, lines 65-68). It is the examiner's position that Murch anticipates the claimed subject matter.
- 3. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tzur (US 4,632,865). Tzur teaches an intumescent arrangement comprising an insulation polyurethane foam 5 and an intumescent layer 4b disposed on the surface of the foam (figure 4, column 9, lines 38-45). It is the examiner's position that Tzur anticipates the claimed subject matter.
- 4. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook (US 4,015,386). Cook teaches a fire resistant door comprising an insulation polyurethane foam 18 and an intumescent layer 15 disposed on the surface of the foam (abstract, figures 1-4, column 3, lines 4-10). It is the examiner's position that Cook anticipates the claimed subject matter.

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Art Unit: 1771

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellis (US

5,130,184). Ellis teaches an intumescent arrangement comprising an insulation

polyurethane foam and an intumescent layer disposed on the surface of the foam

(column 26, lines 35-37). Ellis teaches an intumescent arrangement comprising a

door and an intumescent layer disposed on the surface of the door (column 59,

lines 23-25). It is the examiner's position that Ellis anticipates the claimed subject

matter.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hai Vo whose telephone number is (703) 605-

4426. The examiner can normally be reached on Tue-Fri, 8:30-6:00 and on

alternating Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Terrel Morris can be reached on (703) 308-2414. The fax phone

numbers for the organization where this application or proceeding is assigned

are (703) 872-9310 for regular communications and (703) 872-9311 for After

Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is

(703) 308-0661.

SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700

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